



## YOUTH COMMUNITY CORRECTIONS BUREAU GREAT FALLS YOUTH TRANSITION CENTERS STANDARD OPERATING PROCEDURES

Procedure No.: YTC 130-2	Subject: <b>RESIDENT RIGHTS AND RESPONSIBILITIES AND GRIEVANCE PROCESS</b>
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Applicable ACA Standards: 3-JCRF-3C-16, 3-JCRF-3D-01, 3-JCRF-3D-02, 3-JCRF-3D-03, 3-JCRF-3D-04, 3-JCRF-3D-05, 3-JCRF-3D-06, 3-JCRF-3D-07	Revision Date:
Signature: /s/ <i>Kenneth McGuire</i>	Effective Date: 01/01/10
Signature: /s/ <i>Steve Gibson</i>	

### I. CENTERS DIRECTIVE:

All residents in the care of a community residential facility have certain rights and responsibilities that must be recognized. These are clearly defined, and both residents and staff shall be familiar with them. Complaints of abridgement of the rights set forth below shall be subjected to the grievance process, and residents who do not accept these responsibilities (which would result in rule violation) shall be subject to disciplinary process.

The resident shall be informed of the facility grievance process and his/her rights at the time of admission. All grievances shall be handled expeditiously and without threats of or reprisals against the individual grievant. This procedure will be reviewed annually.

### II. DEFINITIONS:

**Grievance** - An individual complaint filed by a youth offender or his/her parent(s), guardian(s), custodian(s), or their representative(s) concerning subject matter as covered in [YCC 60-12, Offender Grievance Procedures](#).

**Discrimination** - An abridgement of rights based on a person's race, religion, color, sex, age, national origin, or handicap.

**Legal Representative** - Assigned or retained attorney at law.

### III. PROCEDURE:

#### A. GENERAL RULES

1. Residents will follow all laws, parole conditions, rules, procedures, schedules, and directions of staff while in the facility.
2. Residents will be where they are expected or assigned to be.
3. Residents may be subject to search, breathalyzer, and UA.
4. Residents will be responsible and respectful
5. Residents will be responsible for the cleanliness/care of themselves, personal items, rooms and centers.
6. Residents will turn in all checks and money orders. In addition, residents will have no more than \$20 on their person and will have receipts for all purchases.

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7. Residents are not to discriminate against other residents or staff or to use language or behavior in a manner that would imply prejudice or discrimination.
8. Residents must ask permission to leave common areas.
9. Residents will not use, have or control any drugs, alcohol or other substances such as drug related paraphernalia, medications, pills, etc...
10. Residents will not have contraband, including but not limited to drug related paraphernalia, medications, pills, weapons of any kind, reading material or media that is or could be rated PG 13 or above, tobacco in any form, matches, lighters, or rolling paper.
11. Residents will not have any medications, capsules, pills, etc on their person at any time during the residence at the centers. Residents and/or families are not to purchase and/or bring into the centers over the counter medication.
12. Residents will not have physical contact with each other or staff.
13. Residents will not be involved in any fight, altercation, assault, or threat.
14. Residents will not be in any bedroom except their own without staff permission.
15. Residents will not drive or have control of a motor vehicle at any time.
16. Residents will not have unauthorized contact between centers.
17. Residents will not have relationships with other residents of YTC.
18. Residents will not date anyone more than 1 year different in age.
19. Residents will not change their basic appearance while in residence at the centers. Body piercing, self-mutilation, tattoos, nose rings, lip rings, and gauging are prohibited.

#### **B. RESIDENT RESPONSIBILITIES**

1. Residents have the responsibility of asking for medical and dental care when they need it.
2. Residents have the responsibility of conducting themselves properly during visits and community activities. This will include but not be limited to being respectful, not accepting or passing contraband, and not violating the law through the mail or otherwise.
3. Residents have the responsibility of maintaining their body, hair, and clothing in a clean and odor-free condition.
4. Residents have the responsibility of reporting any infringement of their rights to staff members of the facility.
5. Residents have the responsibility of following the grievance procedures in making any complaint and of reporting to the facility supervisors any action taken against them by other residents or staff because of their complaint.
6. Residents have the responsibility of starting an appeal and using the appeal procedures for any disciplinary action they feel has resulted in their being treated unfairly. Refer to YTC 130-2, Residents Rights and Responsibilities and Grievance Process.

#### **C. RESIDENT RIGHTS**

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1. Residents have the right to expect respectful, impartial, and fair treatment, and they will be addressed by name in a dignified conversational form.
2. Residents have the right to be informed of the rules, procedures, and schedules concerning the operation of the facility.
3. Residents have the right not to be subjected to corporal punishment, harassment, intimidation, threats, harm, assault, humiliation, or interference with the normal bodily functions of eating, sleeping, or bathroom functions by any other resident or staff person. They will be under the supervision and control of trained staff and/or trained volunteers only, not other residents.
4. Residents have the right not to be discriminated against because of race, national origin, color, creed, sex, sexual orientation, or physical handicap.
5. Residents have the right to participate in religious counseling on a voluntary basis. They will have access to clergy, spiritual advisors, publications, and related services that will allow them to adhere to their religious practices that do not threaten harm to others.
6. Residents have the right to nutritious meals, proper bedding, clean clothing, daily showers, toilet facilities, adequate lighting, proper ventilation for warmth and fresh air, and an overall safe environment maintained in compliance with state and local fire and safety laws and regulations.
7. Residents have the right to appropriate medical and dental treatment.
8. Residents have the right to regular visits with family and the right to send and receive uncensored mail when it does not interfere with therapeutic programming.
9. Residents have the right to wear personal clothing and wear their hair and facial hair in a reasonable style of their choosing as long as it does not pose health or safety problems and does not represent drugs, Satanism, inappropriate sexual behaviors, gang or delinquent behaviors, or any other objectionable representations identified by staff and/or community standards.
10. Residents have the right to possess items of jewelry that cannot be used to inflict bodily harm.
11. Residents have the right to participate in the facility programs and community activities and to meet their educational needs, subject to state and local laws concerning education.
12. Residents have the right to participate in both indoor and outdoor recreation, on and off the facility grounds, subject to resident behaviors that might limit a particular activity.
13. Residents have the right not to participate in uncompensated work assignments unless the work is related to housekeeping or maintenance of the facility or community service work.
14. Residents have the right to report any problems or complaints they have while in the facility without fear of punishment.
15. Residents have the right to appeal any disciplinary measure taken against them for the violation of a facility rule and have the right to respond to the appeal in accordance with appeal procedures.

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16. Residents have the right to have access to the courts
17. Residents have the right to have access to legal counsel.

**D. Resident Rule and Discipline Awareness**

A copy of the resident rights, program rules, and discipline actions and procedures that may be imposed will be reviewed with each resident at the time of admission by staff. Arrangements will be made by the designated intake staff for translation (when a resident speaks another language) or interpretation (if the resident has a problem with reading or understanding any portion of the document.)

**E. Staff Training**

All staff members will be given a copy of resident rights, program rules, discipline options, and procedures. Staff that have direct contact with residents will receive at least two hours of in-service training annually to ensure familiarity with the rules, sanctions available, and the rationale for the rules.

**F. Legal Counsel**

The facility director, designee, or centers staff may inform residents without an assigned or privately retained attorney of legal resources available to them; however, at no time are they to engage in conversation that might in any way be construed as offering legal advice regarding the resident's case, and under no circumstances should staff questions residents regarding alleged offenses.

**G. Communication with Legal Representatives**

1. Telephone: Calls are usually limited to once a day to avoid unnecessary intrusion on the legal representative and facility staff. However if a resident indicates important information needs the prompt attention of his/her legal representative, the call will be placed. During business hours, upon request from a resident, the resident care worker shall contact the resident's attorney by phone. If the attorney is not available, a message will be left to return the call.
2. Written Communication: A resident's written or dictated message will be mailed or disbursed to the resident's legal representative, uncensored, and it shall not be opened once the message has been completed for delivery. Mail from the court or other legal authority will be delivered to the resident immediately. If a resident is away from the premises when the mail is received, it will be delivered immediately upon the resident's return.

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3. Visits: Except in an emergency, a resident's legal representative may visit during regular business hours. If a resident requests a visit from a legal representative, a resident care worker will ensure that the request is relayed and documented.

#### **H. Grievance Resolution**

All grievance resolutions will be completed pursuant to [YCC 60-12 Offender Grievance Procedures](#).

#### **IV. CLOSING:**

Questions concerning this procedure shall be addressed to the Youth Transition Centers Director.

#### **V. REFERENCES:**

[YCC 60-12](#) [Offender Grievance Procedures](#)

#### **VI. ATTACHMENTS:**

YTC 130-2 (A) Violations  
YTC 130-2 (B) Daily Achievement Log